

10. That whenever the water flowing in said river and the canals of the parties heretofore stated exceeds in volume the aggregate of the quantities hereinbefore specified, the Midway Irrigation Company and the parties whose waters the said company controls and distributes, are entitled to twenty second feet of such excess, to be diverted at the Midway upper dam, in addition to the quantity specified in paragraph 4 and 8, or so much thereof as is necessary to supply the three thousand five hundred and eighty-five acres of land above the Island Ditch one second foot for sixty acres of said land.

The foregoing quantities are denominated as the fifteenth class.

11. That whenever the water flowing in said river and the canals of the parties heretofore stated exceeds in volume the aggregate of the quantities hereinbefore specified, the lands in Wasatch and Summit Counties not included in the foregoing that have been brought under an appropriation prior to September 15, 1908, are entitled of such excess to an amount of one second foot for sixty acres of such irrigated land.

The foregoing is denominated as the sixteenth class.

12. During the period of September 15 to April 15 of the following year the parties to the above entitled cause in Wasatch and Summit Counties and each of them are entitled only to the use of such portion of the amounts heretofore specified as their necessities may require, not to exceed one second foot for each seventy acres.

13. That to control and distribute the waters of Provo River and to insure the full measure of service from the waters of said river to all the parties to the above entitled cause the water Commissioner shall have reasonable discretion, but such authority shall not interfere with the rights specified in the first to sixteenth classes, inclusive, as hereinbefore stated.

14. That whenever the water flowing in said river and the canals of the parties heretofore stated exceeds in volume the aggregate of the quantities hereinbefore specified as belonging to the parties above named, the said parties and each of them are entitled in proportion to their respective quantities before specified, of such excess in any and all irrigation seasons from May 1 to August 10, (except as provided in section 33 herein,) to an amount which when added to the quantities hereinbefore specified will amount to one second foot for forty acres of such specified land; and when the volume of flow is insufficient to supply one second foot for forty acres of such specified land, but is more than sufficient to supply the sixteen classes aforesaid, such amount is to be distributed to the said parties and each of them in proportion to the quantities heretofore designated, each of them receiving the same amount of water per acre of said specified land; that is, the duty shall range uniformly from forty acres to sixty acres per second foot of water.

The foregoing is denominated as the seventeenth class.

15. For the purpose of designation the following districts are numbered:

From and including the Stewart Ranch down to the Hailstone ranch is designated as the First District.

From the Hailstone ranch down to and including the Diversion at the Upper Midway dam is designated the Second District.